

BOARD OF PUBLIC WORKS AND SAFETY  
APRIL 27, 2015

Members present Jonathan Stinson, James Trimble, Cary Sparks and Roland Shelton

**OLD BUSINESS**

**1. Approve Minutes from Board of Public Works and Safety Meeting April 13, 2015**

Roland Shelton made a motion to approve; this was seconded by James Trimble and approved by the Board.

**2. Award Bid – Gasoline & Diesel Fuel – Transit**

The Terre Haute Transit Utility received five (5) qualifying bids for its gasoline and diesel fuel needs. Bids reflect the vendor's markup over the OPIS market price. The bids are as follows:

- |                               |        |
|-------------------------------|--------|
| • XO Vest                     | 0.0999 |
| • Spence Banks Oil            | 0.1000 |
| • Black Dog Chicago Operation | 0.1049 |
| • Heritage Petroleum          | 0.1300 |
| • Ports Petroleum             | 0.1415 |

There is negligible difference between the low bid and the bid from the supplier that the City uses now however, the DOT's DBE Program seeks to ensure nondiscrimination in the award and administration of DOT assisted contracts in the Department's highway, transit, and airport financial assistance programs and to create a level playing field on which DBE's can compete fairly for DOT assisted contracts. XO Vest is a minority owned business and has submitted the low bid for this project. Brad Miller recommends the Board award the bid to XO Vest. Cary Sparks asked where XO Vest was located and the Board was informed Farmersburg. Based on the recommendation from Brad Miller Cary Sparks made a motion to award to XO Vest; this was seconded by Roland Shelton and approved by the Board.

**NEW BUSINESS**

**1. Technical Service Support Agreement – Physio Control and Terre Haute Fire Department**

Glen Hall Deputy Chief explained to the Board this agreement is for inspection and repair of LIFEPAKS used by the Terre Haute Fire Department. This agreement has been reviewed by City Legal and meets all the requirements. Roland Shelton made a motion to approve; this was seconded by Cary Sparks and approved by the Board.

**2. Reuest from Terre Haute Police Department to seek Financial Lease for \$3,000,000 for 20, 25, or 30 Years for Police Department Headquarters**

Assistant Chief Shawn Keen informed the Board the proposed new headquarters design phase is about 90 percent complete, the estimate construction cost is \$9.078 million. The Department of Redevelopment will bond \$6.25 million leaving a little less than \$3 million for the City of Terre Haute. Assistant Chief Keen was not sure whether the payment would come out of the Police Department's annual budget or bonding. Cary Sparks asked Leslie Ellis if the payment for the above lease would be

built into the budget for the Terre Haute Police Department and the Board was informed “yes”. Todd Nation asked if the City was “pledging EDIT Funds to build the new Police Department Headquarters and if so doesn’t the Council have a role in approving EDIT spending” The Board was informed by the Mayor “Yes once a year”, Todd Nation asked if this has been done and the Board was informed by the Mayor the money will come out of next’s years funding. Cary Sparks made a motion to approve; this was seconded by Roland Shelton and approved by the Board.

### **3. Medical Insurance Renewal**

Pat Carney informed the Board the City of Terre Haute had an increase of 5.5% in employees, a decrease of 7.5% in claims and his recommendation is no Premium Increase for 2015. The City implemented a shared medical clinic that has been used by over 67% of the City’s insured members. Instituting the clinic has led to a savings to the City’s Health Plan. Cary Sparks made a motion to approve; this was seconded by Roland Shelton and approved by the Board. Jonathan Stinson abstained from voting.

### **4. Request from Tater & Joe’s Café to close Wabash Avenue between 4<sup>th</sup> and 5<sup>th</sup> on Friday, May 1<sup>st</sup> during STREET FESTIVAL**

Kevin Hunt informed the Board he has contacted all businesses in the area and they are all in favor of the festival, he has contacted Tom Dever regarding alcohol, and 50% of his profits will go to the Terre Haute Children’s Museum. Based on positive recommendations from the Terre Haute Street Department and Department of Engineering James Trimble made a motion to approve; this was seconded by Cary Sparks and approve by the Board.

### **5. Request from Brian Payne of FRIENDS OF GRIFFIN BIKE PARK to close the southernmost lane and the parking lane of Ohio from the last entrance onto Ohio directly west of the theatre to 7<sup>th</sup> Street on Friday, May 8<sup>th</sup> from 5 PM to 10:30 PM**

Brian Payne informed the Board he contacted Indiana Landmark the only business affected by this closure and they do not have a problem. Based on positive recommendations from the Street Department and Department of Engineering James Trimble made a motion to approve; this was seconded by Roland Shelton and approved by the Board. The Terre Haute Street Department will install the barricades; they will be removed by volunteers.

### **6. Request from THE TORCHHOUSE to close 8<sup>th</sup> Street between Hulman and Idaho on Saturday, July 11<sup>th</sup> from 11 AM to 9 PM**

Based on positive recommendations from the Street Department and Department of Engineering Roland Shelton made a motion to approve; this was seconded by Cary Sparks and approved by the Board.

### **7. Request for Hardship**

This individual’s only income is social security; no tax return has been filed. Cary Sparks made a motion to write off the \$84.79 remaining balance of an ambulance invoice; this was seconded by Roland Shelton and approved by the Board.

### **8. Request for Hardship**

This individual has not been employed or filed a tax return since 1999. James Trimble made a motion to write off the \$469.20 ambulance invoice; this was seconded by Roland Shelton and approved by the Board.

### **9. Payroll**

Roland Shelton made a motion to certify the payroll registers based on the recommendation of the Department Heads and the City Controller subject to the appropriation of funds; this was seconded by Cary Sparks and approved by the Board.

#### **10. PO Registers**

Cary Sparks made a motion to certify the purchase order registers based on the recommendation of the Department Heads and the City Controller subject to the appropriation of funds; this was seconded by Roland Shelton and approved by the Board.

#### **11. Information on former Southside Cleaners**

Patrick Martin updated the Board informing them the tank excavated contained 2,000 gallons of hazard material; they are still excavating soil and running tests. Jonathan Stinson signed the work order last week and their vote will ratify his signature. James Trimble made a motion to approve; this was seconded by Roland Shelton and approved by the Board.

#### **12. Resolution 1, 2015 Approving & Ratifying Agreement & Amendment thereto between the City of Terre Haute and Terre Haute Dewatering Company**

The Mayor informed the Board Exhibit A of this Resolution was the original agreement to engage in contract and Exhibit B was the Extension to continue negotiations until May 4, 2015. The Mayor informed the Board they are working on a contract to bring to the Board for approval, he has a new attorney who prepared the resolution to make sure we are in total compliance with the law and are moving forward. When asked who the attorney was the Board was informed Dennis Otten of the Indianapolis firm Bose McKinney & Evans. Mr. Otten worked with the Sanitary District's bonding projects. Patrick Goodwin asked the Board again "who owns the centrifuges", the Mayor informed the Board the Sanitary Board approved a change order that took these out of the contract but they are in the process of another change order putting these back in the contract, at this time Plocher controls them. Mr. Goodwin asked the Mayor "how can you lease equipment you do not own"? The Board was informed when we approve the Operating Lease we will own the equipment. Todd Nation asked if contracts for drying wastewater sludge need to be put out for bid. The Mayor stated the City is looking at several options some may require bidding, "we will put out for bid whatever we need to". Howard Greninger stated the City removed 2.8 Million from the contract with the first change order, do we still have that money and the Board was informed by the Mayor the money is still there. Gene Frazier asked what Fund 620 was in the wastewater budget, he stated this is the account the money was transferred into. Leslie Ellis informed him this was the WWTP Capital Improvement Fund, he asked if the money was still there and the Board was informed by Leslie Ellis "yes" He informed the Board if the money was borrowed by the City it had to be paid back by 12-31-15 and Leslie informed him she understood that. Gene Frazier asked what the emergency was for the City. The Mayor stated to take care of several pressing financial funding sources and to keep this thing alive. The Mayor said there would deadlines that needed to be met. Patrick Goodwin read from the agreement "Whereas, the City has the immediate need for said prepayment funds in order to meet certain financial obligations of the City constituting an emergency situation" The Mayor stated "emergency" was a word placed in the agreement by attorney's he would not of chosen that word. Noah Gambill informed the Board Mark Thompson stated that the emergency was payroll; the Mayor stated there were a lot of bills and other things that had to be paid. The Mayor informed the Board he was not sure what path he would take but it could be an operating lease, personal property lease or a service agreement. Todd Nation asked the Mayor if the Board Agenda and packet material could be placed on the City's web-site, he was informed we will work on that but for now we will place the agenda on the website. He asked if upcoming contracts would be put on the agenda and was informed we will look into the legality of that. Todd

Nation requested that all information be made available to citizens prior to approval. Patrick Goodwin informed the Board there is a button on the website to download minutes but is not operating at this time the Mayor informed him this would be looked into. James Trimble made a motion to approve; this was seconded by Roland Shelton and approved by the Board.

### **13. TCC Heal the World Grant Agreement – TREES**

At the request of the legal department Cary Sparks made a motion to table; this was seconded by James Trimble and tabled by the Board.

### **14. Art Service Agreement**

This agreement was reviewed by Terry Modesitt and he found it legally acceptable for Board approval. He advised the Board a representative should inspect the artwork within fifteen (15) days after notification and grant approval prior to installation. The artwork needs to be insured and regular maintenance would be required. Mary Kramer informed the Board they have a fund for all maintenance of artwork and she would notify Robin when they were ready to install. She will provide the Board with a copy of the agreement once artist and a representative from Art Spaces signs. James Trimble made a motion to approve; this was seconded by Cary Sparks and approved by the Board.

### **15. Renewal Property and Casualty Insurance**

Doug Grim informed the Board the only major change to the insurance was the WWTP property value went up \$98 million. Cary Sparks made a motion to approve; this was seconded by Roland Shelton and approved by the Board.

There being no further business James Trimble made a motion to adjourn; this was seconded by Roland Shelton and approved by the Board.

Robin A Drummy, Administrator